

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK  
ENVY BRANDING, LLC,

Plaintiff,

-v-

THE WILLIAM GERARD GROUP, LLC, WILLIAM G.  
DZOMBAK, CHELSEA DEBOER nee HOUSKA, COLE  
DEBOER, and C & A ENTERPRISES,

Defendants.

CIVIL ACTION NO.: 20 Civ. 3182 (PGG) (SLC)

**ORDER**

**SARAH L. CAVE**, United States Magistrate Judge.

Pursuant to the discovery conference held today, January 24, 2022, the Court orders as follows:

1. Plaintiff's request for an extension of the fact discovery deadline and for an order compelling Defendants to provide certain discovery (ECF No. 41) is GRANTED IN PART and DENIED IN PART. All fact discovery, including depositions, shall be completed by **March 18, 2022**. The parties shall abide by the following interim deadlines:
  - a. By **5:00 pm on January 25, 2022**, Defendants shall, in accordance with the Court's December 16, 2021 Order (ECF No. 40), provide a list of (i) the custodians whose records were searched for electronically stored information, and (ii) the search terms that were used (the "Search Terms");
  - b. By **January 31, 2022**:
    - i. Plaintiff shall select one custodian (the "Custodian") from Tim Hunkele, Michele Fafard or Jenny D'Alessandro. Once identified, Defendant shall promptly search the Custodian's electronically stored information

(“ESI”) using the Search Terms and produce any non-duplicative responsive ESI;

- ii. Plaintiff shall identify the individual (the “Individual”) to whom the “audit” request (ECF No. 41 at 2–3) was made and the date of the request. Once identified, Defendants shall promptly search the Individual’s ESI using the search term “audit” for the period from that date until the Complaint was filed. Defendants shall produce any responsive ESI;
- iii. Plaintiff shall produce the additional bank statements described during the conference;

c. By **February 7, 2022**:

- i. Defendants shall run a search for the term “Dakota Ln, LLC” (or variations thereof) for the period from January 1, 2020 through December 31, 2020, and promptly produce any responsive documents or ESI;
- ii. Plaintiff shall search for and promptly produce any PayPal statements redefecting any relevant transactions;

2. By **March 25, 2022**, the parties shall file a joint letter certifying the completion of fact discovery;

3. The expert discovery deadline is extended to **April 20, 2022**;

- a. Party-proponent expert disclosures shall be served by **March 21, 2022**;
- b. Party-opponent expert disclosures shall be served by **April 4, 2022**; and

4. By **April 27, 2022**, the parties shall file a joint letter certifying the completion of expert discovery and indicating whether the parties would like the Court to conduct a settlement conference;
5. Pre-motion letters regarding any summary judgment motions shall be filed with the Honorable Paul G. Gardephe by **May 20, 2022**, and opposition letters shall be filed by **May 27, 2022**.

A Telephone Conference is scheduled for **Tuesday, March 8, 2022 at 3:30 pm** on the Court's conference line. The parties are directed to call the Court's conference line at: (866) 390-1828; access code: 380-9799, at the scheduled time. By **March 1, 2022**, the parties shall notify the Court if they seek to cancel or adjourn the conference.

The Clerk of Court is respectfully directed to close ECF No. 41.

Dated: New York, New York  
January 24, 2022

SO ORDERED.

  
SARAH L. CAVE  
United States Magistrate Judge